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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,258	03/22/2004	Shinji Shimizu	H0401T	8954

7590 08/12/2004
KANESAKA & TAKEUCHI
1423 Powhatan Street
Alexandria, VA 22314

EXAMINER

TA, THO DAC

ART UNIT PAPER NUMBER

2833

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/805,258	SHIMIZU ET AL.	
	Examiner	Art Unit	
	Tho D. Ta	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6,11 and 13 is/are rejected.
- 7) ☒ Claim(s) 2,4,5,7-10 and 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/22/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

1. Figure 12 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 6, 11, 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Hyzin (5,836,781).

In regard to claim 1, Hyzin discloses an electrical connector 12 comprising: an insulating housing 24, 26; a plurality of contact elements 20, 22 provided in a widthwise direction of the insulating housing 24, 26; at least one guide portion 60 provided at a position where no contact element is present and guiding the connector 12 to a position for plugging with a mating electrical connector 10; and a lock portion 100 provided at a

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top of the guide portion 60, having a shape of a substantially sphere having a top view of a substantially circle, and locking a plugging condition of the electrical connector 12 into the mating electrical connector 10 (see fig. 2).

In regard to claim 6, Hyzin discloses an electrical connector 10 comprising: an insulating housing 46, 48; a plurality of contact elements 40, 42 provided in a widthwise direction of the insulating housing 46, 48; at least one lock receiving portion 106 provided at a position where no the contact element is present and made engageable with a lock portion 100 of a mating electrical connector 12, which is provided at a top of the mating electrical connector 12 and has a shape of a substantially sphere having a top view of a substantially circle, wherein the lock receiving portion 106 has an engagement section having a curved surface (the right angle) to engage the lock portion 100 (see fig. 2).

In regard to claim 11, Hyzin discloses that the lock receiving portion 106 is made of a plate (before it is rolled into a cylinder shaped) of a resilient material.

In regard to claim 13, Hyzin discloses an electrical connector assembly comprising a first electrical connector 12 and a second electrical connector 10, the first electrical connector 12 including: a first insulating housing 24, 26; a plurality of first contact elements 20, 22 provided in a widthwise direction of the first insulating housing 24, 26; at least one guide portion 60 provided at a position where no first contact

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element is present and guiding the first electrical connector 12 to a position for plugging with the second electrical connector 10; and a lock portion 100 provided at a top of the guide portion 60 and having a shape of a substantially sphere having a top view of a substantially circle, and the second electrical connector 10 including: a second insulating housing 46, 48; a plurality of second contact elements 40, 42 provided in a widthwise direction of the second insulating housing 46, 48; at least one lock receiving portion 106 provided at a position where no second contact element is present and being engageable with the lock portion 100 of the first electrical connector 12, the lock receiving portion 106 having an engagement portion having a curved surface to engage the lock portion 100, wherein a plugging condition of the first electrical connector 12 into the second electrical connector 10 is locked by engagement between the lock portion 100 and the lock receiving portion 106.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hyzin.

In regard to claim 3, Hyzin does not disclose that the lock portion 100 is made of a metal. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hyzin invention by constructing the lock portion of a metal material which is stronger and more durable than plastic since it has been held to be

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within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious engineering choice. In re Leshin, 125 USPQ 416 (CCPA 1960).

Allowable Subject Matter

6. Claims 2, 4, 5, 7-10, 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: the combination of dependent claims with independent claim would render the claims unobvious over the prior art because it does not make sense to combine secondary references into Hyzin reference in order to achieve the claimed invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho D. Ta whose telephone number is (571) 272-2014. The examiner can normally be reached on M-F (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



THO D. TA
PRIMARY EXAMINER

tdt
08/06/04